

Application No. 09/043,813
Reply to Office Action dated July 30, 2003

Double Patenting Rejection:

The Examiner has rejected Claims 1-6 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 54 of U.S. Patent No. 5,962,407.

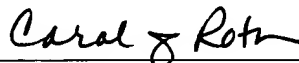
Although Applicants continue to disagree for reasons of record with the Examiner's contention that the subject matter of Claims 1-6 is obvious in view of Claim 54 or even Claim 55 (as suggested by the Examiner in the instant Office Action), submitted herewith is a *Terminal Disclaimer To Obviate a Double Patenting Rejection Over a Prior Patent* signed by the undersigned attorney of record and accompanied by the requisite fee. The instant application and U.S. Patent 5,962,407 are commonly owned by SeaTek Marine Biotechnology and University of British Columbia. Accordingly, Applicants respectfully submit that the obviousness-type double patenting rejection of Claims 1-6 is hereby overcome by the *Terminal Disclaimer* filed herewith.

All of the claims in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. The Commissioner is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,

Michael T. Kelly

SEED Intellectual Property Law Group PLLC



Carol J. Roth

Registration No. 32,783

Enclosure: Copy of Amendment Filed December 9, 1999
Terminal Disclaimer
Postcard

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031
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